

REMARKS

Claims 1-14 are all the claims pending in the application.

Claims 1 and 8 have been amended to further distinguish Applicant's claimed invention from the prior art.

PRIOR ART REJECTIONS

The Examiner has rejected claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Yoshino (U.S. Patent No. 6,308,086 B1). Applicant traverses these rejections because Yoshino fails to disclose or suggest at least the following limitations of independent claims 1 and 8:

1. A mobile communication terminal equipped with *an Internet browser function*, comprising:

means for fetching melody data from a *web-based server apparatus* by using said browser function; and

tone setting means for setting ringing tones based on tone information contained in said melody data.

8. A ringing method for a mobile communication terminal equipped with *an Internet browser function*, comprising:

having access to *a web-based server equipment* by means of said browser function;

The excerpts of Yoshino cited by the Examiner do not disclose or suggest an Internet browser function. Likewise, none of these excerpts disclose or suggest a web-based server apparatus. More specifically, an external device with a radio-communication function based on a radio wave or an infrared ray is not the same as, nor does it suggest, fetching data from a web-based server apparatus by using an Internet browser function.

AMENDMENT UNDER 37 C.F.R. § 1.116
USSN: 09/759,220

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Regarding claims 2-7 and 9-14, they should be allowable at least based on their dependence from claims 1 or 8 for the same reasons described above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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